

**AMENDMENTS TO THE DRAWINGS:**

Attached is a replacement sheet for Figure 8.

## REMARKS

This Amendment responds to the Office Action dated June 30, 2005 in which the Examiner objected to the disclosure and drawings, rejected claims 1, 5, 8, 11, 14 and 17 under 35 U.S.C. §102(e) and rejected claims 2-4, 6-7, 9-10, 12-13, 15-16 and 18-19 under 35 U.S.C. §103.

As indicated above, an informality in the specification has been corrected. Therefore, Applicants respectfully request the Examiner withdraws the objection to the disclosure.

Attached to this amendment is a replacement sheet for Figure 8. Therefore, Applicants respectfully request the Examiner withdraws the objection to the drawings.

Claim 1 claims an image processor, claim 5 claims a method of image processing and claim 8 claims a recording medium to be executed by a computer storing a program. The image processor, method and program are for detecting specific color in a still image and include a still image input device, first and second decision controllers and a color decision controller. The still image input device inputs still image data. The first decision controller decides whether input color data of a target pixel exists in first ranges. The second decision controller decides whether differences between color data of the target pixel and those of pixels adjacent thereto exist in second ranges different from the first ranges. The color decision controller decides that the target pixel has a specified color when the first decision controller decides that the color data of the target pixel exist in the first ranges and the second decision controller decides that the differences exist in the second ranges.

Through the structure and method of the claimed invention inputting still image data in order to determine that a target pixel has a specified color when color data exists in first ranges and differences exist in second ranges as claimed in claims 1, 5 and 8, the claimed invention provides an image processor, method and program which can detect a specific color in a still image at high precision. The prior art does not show, teach or suggest the invention as claimed in claims 1, 5 and 8.

Claim 11 claims an image processor, claim 14 claims a method of image processing and claim 17 claims a recording medium to be executed by a computer storing a program. The image processor, method and program detect specific color in a still image and include still image input device, first and second decision controllers and a color decision controller. The still image input device inputs still image data. The first decision controller decides whether input color data of the target pixel exist in first ranges. The second decision controller performs calculation on the input color data of the target pixel and decides whether results of the calculation exist in second ranges different from the first ranges. The color decision controller decides that the target pixel has a specific color when the first decision controller decides that the color data of the target pixel exist in the first ranges and the second decision controller decides that the results exist in the second ranges.

Through the structure and method of the claimed invention inputting still image data and determining that a target pixel has a specified color when the color data exists in first ranges and the results exist in second ranges, as claimed in claims 11, 14 and 17, the claimed invention provides an image processor, method and program which can detect a specific color of a still image at high precision. The

prior art does not show, teach or suggest the invention as claimed in claims 11, 14 and 17.

As indicated above, claims 1, 5, 8, 11, 14 and 17 have been amended to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability.

Claims 1, 5, 8, 11, 14 and 17 were rejected under 35 U.S.C. §102(e) as being anticipated by *Kikuchi et al.* (U.S. Patent No. 6,219,382).

*Kikuchi et al.* appears to disclose a system for detecting a change in scenes (a scene change) represented by a moving picture signal (col. 1, lines 9-11). A moving picture search apparatus includes first means for dividing every frame represented by a moving picture signal into blocks; second means for calculating a number of pixels forming portions of a caption in each of the blocks; third means for comparing the number of pixels which is calculated by the second means with a threshold value; fourth means for, when the calculated number of pixels is equal to or greater than the threshold value, deciding that the related block is a caption-containing block; fifth means for detecting a time interval related to the moving picture signal during which every frame represented by the moving picture signal has a caption-containing block decided by the fourth means; and sixth means for selecting a 1-frame-corresponding segment of the moving picture signal which represents a caption-added frame present in the time interval detected by the fifth means (col. 11, line 65 through col. 12, line 13). In the moving picture search apparatus of the second basic embodiment, the second means comprises means for detecting a luminance level of each of pixels composing a block, means for comparing the detected luminance level with a threshold level, and means for, when

the detected luminance level is equal to or greater than the threshold level, deciding that the related pixel forms a portion of a caption. In the moving picture search apparatus of the third basic embodiment, the second means comprises means for detecting a luminance level of each of pixels composing a block, means for comparing the detected luminance level with a threshold level, means for calculating a difference between the detected luminance level of each of pixels and the detected luminance level of a neighboring pixel, means for comparing the calculated difference with a threshold difference, and means for, when the detected luminance level is equal to or greater than the threshold level and the calculated difference is equal to or greater than the threshold difference, deciding that the related pixel forms a portion of a caption. In the moving picture search apparatus of the fourth basic embodiment, the second means comprises means for detecting a color of each of pixels composing a block, means for comparing the detected color with a reference color range, and means for, when the detected color is in the reference color range, deciding that the related pixel forms a portion of a caption. In the moving picture search apparatus of the fifth basic embodiment, the second means comprises means for detecting a color of each of pixels composing a block, means for comparing the detected color with a reference color range, means for calculating a difference between the detected color of each of pixels and the detected color of a neighboring pixel, means for comparing the calculated difference with a reference difference, and means for, when the detected color is in the reference color range and the calculated difference is in the reference difference, deciding that the related pixel forms a portion of a caption (col. 12, lines 15-58).

Thus, *Kikuchi et al.* merely discloses detecting captions within a moving picture. Nothing in *Kikuchi et al.* shows, teaches or suggests detecting specific color in a still image and including a still image input device inputting still image data as claimed in claims 1, 5, 8, 11, 14 and 17. Rather, *Kikuchi et al.* is merely directed to a moving picture search apparatus which searches for a caption.

Since nothing in *Kikuchi et al.* shows, teaches or suggests detecting specific color in a still image including a still image input device inputting still image data as claimed in claims 1, 5, 8, 11, 14 and 17, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

Claims 2, 3, 6 and 9 were rejected under 35 U.S.C. §103 as being unpatentable over *Kikuchi et al.* in view of *Mutoh et al.* (U.S. Patent No. 6,631,210). Claims 4, 7, 10, 13, 16 and 19 were rejected under 35 U.S.C. §103 as being unpatentable over *Kikuchi et al.* in view of *Sonoda et al.* (U.S. Patent No. 6,115,494). Claims 12, 15 and 18 were rejected under 35 U.S.C. §103 as being unpatentable over *Kikuchi et al.* in view of *Kuwata et al.* (U.S. Patent No. 6,151,410).

Applicants respectfully traverse the Examiner's rejection of claims 2-4, 6-7, 9-10, 12-13, 15-16 and 18-19 under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in *Kikuchi et al.* shows, teaches or suggests the primary features as claimed in claims 1, 5, 8, 11, 14 and 17, Applicants respectfully submit that the combination of the primary reference with the secondary references to *Mutoh et al.*, *Sonoda et al.* and *Kuwata et al.* would not overcome the

deficiencies of the primary reference. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-4, 6-7, 9-10, 12-13, 15-16 and 18-19 under 35 U.S.C. §103.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge  
our Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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